

REDACTED

FILED

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION

2020 JUL -1 PM 1:24

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY _____

STENOTYPIED

UNITED STATES OF AMERICA

§ CAUSE NO.:

§

§ **INDICTMENT**

§

§ [VIO: COUNT ONE: 18 U.S.C. §
2252A(a)(5)(B), Possession of Child
Pornography.]

§

§

DR20CR1104.

v.
THE GRAND JURY CHARGES:

COUNT ONE
[18 U.S.C. § 2252A(a)(5)(B) and (b)(2)]

That on or about January 21, 2020, in the Western District of Texas, Defendant,

RAMIRO HELIBERTO CUENCA-CAMPOS,

knowingly possessed a computer, computer disk, and other material that contained an image of child pornography, as defined in Title 18, United States Code, Section 2256(8)(A) of a prepubescent minor and a minor who had not attained 12 years of age that has been mailed, shipped and transported in and affecting interstate and foreign commerce, to wit: the internet, and that was produced using materials that have been mailed, shipped and transported in and affecting interstate and foreign commerce by any means including by computer, in violation of 18 U.S.C. § 2252A(a)(5)(B) and (b)(2).

NOTICE OF UNITED STATES OF AMERICA'S DEMAND FOR FORFEITURE
[See Fed. R. Crim. P. 32.2]

I.

Violations and Forfeiture Statutes Relating to Sexual Exploitation of Children
[Title 18 U.S.C. § 2252A, subject to forfeiture pursuant to Title 18 U.S.C. § 2253(a)]

As a result of the foregoing criminal violations set forth in Count One, which are punishable by imprisonment for more than one year, the United States gives notice to Defendant RAMIRO HELIBERTO CUENCA-CAMPOS of its intent to seek the forfeiture of the property described below upon conviction pursuant to Title 18 U.S.C. § 2253(a), which states:

§ 2253. Criminal forfeiture

(a) Property subject to criminal forfeiture.—A person who is convicted of an offense under this chapter involving a visual depiction described in section . . . 2252A . . . of this chapter . . . shall forfeit to the United States such person's interest in—

- (1) any visual depiction described in section . . . 2252A . . . of this chapter, or any book, magazine, periodical, film, videotape, or other matter which contains any such depiction, which was produced, transported, mailed, shipped or received in violation of this chapter;
- (2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and
- (3) any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property.

This Notice of Demand for Forfeiture includes but is not limited to the following:

Any computer, hard drive, cell phone, electronic device, CD, DVD, or other property used or intended to be used to commit or promote the violations described above.

A TRUE BILL,
ORIGINAL SIGNATURE
REDACTED PURSUANT TO
E-GOVERNMENT ACT OF 2002
FOREPERSON

JOHN F. BASH
United States Attorney

By:

BEN TONKIN

Assistant United States Attorney



SEALED:
UNSEALED: XX

PERSONAL DATA SHEET
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION

COUNTY: KINNEY USAO#: 2020R05751

DATE: JULY 1, 2020 MAG. CT. #: DR20-998M

AUSA: BEN TONKIN

DR20CR1104

DEFENDANT: RAMIRO HELIBERTO CUENCA-CAMPOS

CITIZENSHIP: ECUADOR

INTERPRETER NEEDED: YES LANGUAGE: SPANISH

DEFENSE ATTORNEY: ANTHONY J. COLTON

ADDRESS OF ATTORNEY: 2205 VETERANS BLVD. SUITE A-2, DEL RIO, TEXAS 78840

DEFENDANT IS: DETAINED DATE OF ARREST: JANUARY 21, 2020

BENCH WARRANT NEEDED: NO

PROBATION OFFICER: N/A

NAME AND ADDRESS OF SURETY: N/A

YOUTH CORRECTIONS ACT APPLICABLE: NO

PROSECUTION BY: INDICTMENT

OFFENSE: (Code & Description): COUNT ONE: Vio: 18 U.S.C. § 2252(a)(5)(B) - Access with Intent to View Child Pornography.

OFFENSE IS A: FELONY

MAXIMUM SENTENCE: COUNT ONE: a maximum of 20 years confinement; up to \$250,000 fine; Not less than five years, but up to a lifetime of supervised release; a \$5,000 special assessment for victims of human trafficking; and a \$100 special assessment for the victims of crimes fund.

PENALTY IS MANDATORY: YES & NO

REMARKS: See above

W/DT-CR-3